



STATE OF IOWA

CHESTER J. CULVER, GOVERNOR
PATTY JUDGE, LT. GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
RICHARD A. LEOPOLD, DIRECTOR

**MINUTES
OF THE
NATURAL RESOURCE COMMISSION
MEETING
SEPTEMBER 11, 2008**

**Bellevue City Hall-Council Chambers
106 North 3rd Street
Bellevue, Iowa**

For Office Use Only

Date Minutes Approved By NRC: 10/9/2008

Director's Signature (Richard Leopold):

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NRC MINUTES

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Call to Order

The meeting of the Natural Resource Commission was called to order by the Chair, Bill Bird, at 8:30 a.m. on Thursday, September 11, 2008.

Commissioner Bird welcomed the public to the meeting and thanked the fisheries and wildlife staff who did an outstanding job on the 09/10/08 tour of the Mississippi River, Green Island Wildlife Area, fish collecting processes, and the presentation on mussels. Some of the staff included Dave Bierman, Mike Steuck, Mike Griffin, Kirk Hanson, Gene Jones, Jeff Glaw, Randy Robinson, Scott Gritters, and many of our other professionals.

Members Present

William Bird
Gregory Drees
Richard (Kim) Francisco
Tammi Kircher
Janelle Rettig

Members Absent

Elizabeth Garst
Carol Kramer

1. Approve Agenda

Commissioner Bird requested to move item #23 following the Honey Creek Update, item #22 to after item #5.3, and item #21 following public participation. Commissioner Rettig moved the amended agenda. Commissioner Francisco seconded. Motion carried by unanimous vote.

2. Approve Minutes of 08/14/08

Commissioner Francisco moved. Commissioner Rettig seconded. Commissioner Francisco confirmed page 27 “look” was changed to “lose.” Commissioner Rettig noted formatting issue regarding consistent name use and identifying nay votes. Commissioner Bird commented he was pleased with the minutes and comments regarding consistency are appropriate. Motion carried by unanimous vote.

3. Director’s Remarks

- Legal is preparing a Commissioner reimbursement policy for NRC and EPC which will be presented at the next meetings. Until the policy is presented, reimbursement requests (per diem or travel) will be approved as submitted up to this point.
- Seven public forums led by the Director have been held across the state where over 600 people attended between citizens and staff. This gave the Director an additional opportunity to do radio shows and newspaper interviews. The Director received excellent feedback and ideas from staff in the field and the public. A report is being coordinated and recommendations will be coming out.
- The Department’s lakes program has been well received. At Viking Lake, where watershed and lake work has been done, they have increased to 300 people on the beach over the weekends and the campsites are full.

- On November 16-18, 2008, there will be a national conference at Honey Creek Resort regarding sustainability and climate change. This conference will work to create a national organization for state leaders to have a voice in the federal venue. At the Pennsylvania conference, ten states were represented and we are looking for 20 to join. Commissioners will be invited to conference.
- The flood damage impacts, especially to the Conservation and Recreation Division, are very extensive and we will be asking the State for financial assistance.
- The Rebuild Iowa Office, convened by Governor Culver, to deal with the flood and ramifications has presented a 40 day short range report which discussed rebuilding (ie homes, businesses, and impacts to agriculture), but the report did not address what happens next time. The Director is looking for that aspect and encourages that that piece needs to be kept in the forefront.
- For the Enterprise Planning Teams, the Governor's office has identified the DNR to represent Energy and the Environment. Last year it was only energy and this it year it was strengthened by including environment. There has been a lot done regarding air quality but the areas of water quality and quantity need to be expanded on.
- To allow Mike McGhee to focus on Lakes Restoration, the Missouri River Association of States and Tribes (MoRAST), which includes the states of IA, MT, WY, N/SD, NE, has been assigned to Bernie Hoyer to coordinate a larger scope and understanding of the issues.

Commissioner Rettig requested a further report of our farming acreage, income from that program, how we farm, what practices we could be using, and lease information. She has heard concerns about farming practices around the Hawkeye area and it would be good to have an understanding of this.

4. Honey Creek Resort State Park Monthly Update

Liz Christiansen, Deputy Director, thanked staff and the Honey Creek team for their work on this project. The lodge is near completion and the October NRC meeting will be held at the Resort. The Deputy Director and staff have had meetings with legislators regarding the status of the resort and the budget, which have gone well. Commissioner Francisco came to a site visit which meant a lot to local supporters. The ribbon cutting ceremony is being coordinated for 10/17/08.

On 09/30/08, the Department will be meeting with the bond authority and Central Group will present the operating budget. Liz requested an NRC representative attend the meeting if possible. Commissioner Rettig agreed to attend.

Liz presented a project status with the summary that many of the features and rooms are complete and details are being finalized. Commissioner Rettig inquired if we own the golf carts. Liz reported we are currently leasing them. Commissioner Kircher was under the impression the carts were to be leased and recommended it remain that way especially with the fall season coming so soon. Commissioner Rettig was in the understanding that we were buying these items

and expressed concern about an ongoing cost of leasing. Liz will provide a detailed report on leased and purchased items.

Commissioner Francisco asked if Vieco resolved the earth moving problem regarding a couple of the cabin sites. Liz reported they had and the framing crews have been there a couple of weeks now.

Commissioner Drees inquired if the flooding has receded, what damage there was, and what is the status of the golf course, pro shop, and maintenance building, and what are the green fees. Liz report the flood has receded and there was damage to the golf cart paths and the bridges, although they will be usable. The pro shop has been outfitted with product and is ready for operation and the maintenance building was completed in May. Green fees vary due to season, weekday or weekend, and senior and junior rates and the rates have been posted on the Honey Creek Resort website.

Liz noted that in the construction budget under packages, an RV shelter has been added which will be located within the RV park pull through area for a provision for a shower and restroom building. Commissioner Rettig noted this item needs to be done and that the RV shelter needs to be added into the front and back totals putting us at a million dollars short to complete all elements.

Commissioner Rettig commented on the type of format Senator McCoy requested regarding reservations and occupancy figures, such as reservations, rooms sold, high/low rooms and cabin season rates. Liz will review.

Public Participation

No public participation, although during the meeting, Marian Myers was recognized as in attendance as a former NRC Commissioner.

5. Construction Projects

Bids were opened August 21, 2008, for the following projects:

1. Missouri River Fisheries, Monona County -- Shop Building

This project consists of the construction of an approximately 40 foot by 40 foot, one story, pre-engineered wood framed building with metal roofing and siding that includes one heated bay, one lab room, a mechanical/electrical room, and a restroom. An enclosed storage space will also be located above the lab room, mechanical/electrical room and restroom. The work also includes some concrete and class "A" crushed stone paving, concrete paving, sewer, water, geothermal and electrical services. During the design of this project particular attention was paid to sustainability, handicapped accessibility and vandal resistance. Every effort has been made to design with sustainable materials and equipment. It is intended that the waste construction materials be recycled. To save energy, the water heater will be an on demand-type that does not heat water in a storage tank, but only heats what is needed. The roof and wall system are low maintenance metal and the windows will be at a minimum double glazed with low energy glass. The building electric fixtures and bulbs are designed to be fluorescent with maximum energy efficiency. The building will be heated by an energy-efficient under floor radiant heat system, piped into the concrete slabs throughout all heated spaces, which will come from a heat pump

system energized by a geothermal heat source. The lab is the only area that will be air conditioned. A ductless system involving one inside air conditioning unit and one outside compressor unit are expected to reduce construction and maintenance costs by omitting the need for installation of ductwork and registers. The facility is designed to be handicapped accessible in accordance with requirements of the state building code and the American Disabilities Act.

Project is budgeted 100% from the Fish and Wildlife Trust Fund (Capital Link #34). The DNR estimate was \$220,000. Project was designed by Thierry Amice and will be inspected by Mark Johnson. 12 sets of plans were issued. 1 bid was received.

Scherrin, Inc	Cherokee, IA	\$275,627.40
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Because there was only one bidder, the Company was asked to re-examine its bid numbers. Under negotiation, the bidder reduced its bid to \$239,970.50. Staff recommends acceptance of the negotiated price of \$239,970.50 and the award of contract to Scherrin, Inc.

Commissioner Drees moved. Commissioner Francisco seconded. Commissioner Drees inquired if this is replacing an existing bldg and how will it be used such as the lab and heated bay. Staff reported a current building is being demolished and this building is a fisheries building to be used for processing fish, invertebrates, and water sampling. The bays would be storage for boats and the heated bay will be used to service boats and vehicles in the winter. Currently fisheries leases a building in town and this will be their own building. Commissioner Francisco inquired on the geothermal system. Staff reported a closed geothermal system will be used. Commissioner Rettig inquired on what the cost or percent of savings the energy efficient elements added and are these features starting to cost less. Staff responded that it is hard to determine and it was looked at for long term savings but pricing for these elements are leveling out because they are becoming standard practices. Don Labate offered to provide the savings breakdown for the systems for the bids. Commissioner Rettig commented she is pleased to see this practice occurring. Motion carried by unanimous vote.

2. Lake Wapello WMA, David County -- Silt Retention Structures

This project consists of the construction of 11 compacted earth silt retention structures, related intakes, water control structures and incidental work as required by the Plans and the DNR Construction Inspector. This sediment basins project is being constructed in the Lake Wapello watershed to improve the water quality in the lake.

Project is budgeted 75% Environmental Protection Agency and 25% Lake Restoration (Capital Link #111). The DNR estimate is \$200,000. Project was designed by Ken Jackson and will be inspected by Jason Kruse. 15 sets of plans were issued. 7 bids were received.

Kamerick Dozing Inc.	Melrose, IA	\$141,160.12
Sterk Excavating Inc.	Otley, IA	\$193,529.81
Seaton Construction	Deep River, IA	\$208,786.00
Muhs Trucking & Excavating	Birmingham, IA	\$216,799.50
CSD Environmental Services	Springfield, IL	\$217,953.50
Cole Construction Co. Inc	Keosauqua, IA	\$252,318.90
Peterson Contractors Inc.	Reinbeck, IA	\$340,226.75

Staff recommends award of contract to Kamerick Dozing Inc., low bidder.

Commissioner Francisco moved. Commissioner Kircher seconded. Motion carried by unanimous vote.

Bids were opened September 9, 2008, for the following project:

3. George Wyth State Park, Blackhawk County -- Campground Electrical System Repairs

This project consists of cleaning and inspecting electrical distribution panels and campsite outlet posts that were inundated by flood waters, and removing and replacing main breakers, circuit breakers and receptacles within the system.

The DNR/FEMA estimate is \$90,535.14. Funding will be provided by 90% FEMA and 10% REAP Land Management Minors (Capital Link #157). Project was designed by Ken Jackson and will be inspected by Mel Pacovsky. 4 sets of plans were issued. 2 bids were received.

Campbell Electric	Dayton, IA	\$28,860.00
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KWS Inc.	Cedar Falls, IA	\$34,920.00
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This project is being bid on an accelerated schedule to minimize financial loss to the park system from lost revenues and to mitigate further erosion of the damaged equipment. Staff recommends award of contract to Campbell Electric, low bidder.

Commissioner Rettig moved. Commissioner Francisco seconded. Commissioner Francisco inquired if the electrical outlets were set up for removal as in Fairport. Staff responded that Fairport flooding is more predictable and for safety reasons, it is not recommended that staff work on main panels but standard breakers can be removed. In this case, related to FEMA's high estimates, we are looking to replace the electronic components versus the complete poles. Motion carried by unanimous vote.

6. Land Acquisition - Stone State Park, Woodbury County -- Iowa Natural Heritage Foundation (Sweeney)

The Natural Resource Commission's approval is requested to accept the donation of a parcel of land located within the city limits of Sioux City adjacent to the south side of Stone State Park. The 38-acre tract is being offered by the Iowa Natural Heritage Foundation. Jerry Gibson facilitated the donation agreement.

The 38-acre tract is adjacent to the southern boundary of Stone State Park with access from existing State land, and is just north of the Sloan parcel. An adjacent property owner has expressed interest in working with the DNR to exchange a small tract of his land for equal State land so that an access from Malloy Road can be established. Malloy Road is located on the south side of the subject tract, and on the north side of the Sloan tract (previously acquired by the DNR). The area is developed with residential acreages. The parcel consists of approximately 15 acres of native prairie and 23 acres of timber.

Incidental closing costs will be the responsibility of the Department.

Commissioner Francisco moved. Commissioner Kircher seconded. Commissioner Rettig inquired what the value of this donation is. Mark Ackelson, INHF, reported approximately \$100,000 with an INHF appraisal of approximately \$90,000. Travis Baker reported that a DNR appraisal has not been completed yet. Commissioner Francisco expressed concern about an exchange. Linda Hanson reported that they are reviewing the land exchange or purchase and the

Department will be in compliance with the Iowa Code. Commissioner Rettig commented that seldom a month goes by there is not an item that is related to INHF and that it is a pleasure when INHF staff can come to the meeting and that their work is appreciated. Motion carried by unanimous vote with profound thanks to INHF.

7. Land Management Agreement – Black Hawk Lake, Sac County -- City of Lake View

The Natural Resource Commission's approval is requested to accept amendments to a management agreement between the City of Lake View and the Department. The current management agreement, which has been in place since 1996, requires the City of Lake View to manage a dock management area on Black Hawk Lake in Sac County and to maintain additional public access to the lake through public walkways and shoreline accesses. The amendment will 1) account for changes to the regulations for dock management areas found in 571 Iowa Administrative Code Chapter 16, 2) extend the agreement for another 25 years from this amendment, and 3) make some minor modifications to contractual language in the agreement based on changes to the law since 1996.

Commissioner Rettig moved. Commissioner Kircher seconded. Commissioner Drees inquired on the location of the existing DMA on the lake. John Maehl reported it is at the northeast corner and a city sidewalk is near there. This will assist in providing public access to the area. Motion carried by unanimous vote.

8. Land Management Agreement - Marlow Ray Wildlife Management Area, Guthrie County -- Guthrie County Conservation Board

The Natural Resource Commission's approval is requested to enter into a new management agreement with the Guthrie County Conservation Board to manage a portion of the Marlow Ray Wildlife Management Area through December 31, 2028. Marlow Ray Wildlife Management Area is located approximately six miles southwest of Panora on the Raccoon River. The agreement covers 50 acres on the north side of the river, isolated from the balance of the area, which was acquired by the DNR in 2006 and 2007. The area will be managed for wildlife habitat and for public hunting and fishing. The 186 acre portion of the wildlife area located south of the river will continue to be managed by the DNR. The agreement will be in accord to the terms and conditions of the standard DNR management agreement.

Commissioner Francisco moved. Commissioner Drees seconded. Motion carried by unanimous vote.

9. Farm Management Contract – Brushy Creek State Recreational Area, Webster County -- Sunderman Farm Management Co.

The Natural Resource Commission's approval is requested, pursuant to Chapter 8 of the Iowa Administrative Code [561], to enter into a farm management contract with Sunderman Farm Management Co. of Fort Dodge, IA to provide farm management services in the Brushy Creek State Recreation Area through September 30, 2013.

Professional farm managers in partnership with DNR foresters, wildlife biologists and technicians as well as parks and recreational area managers have been utilized since 1987 to improve the agricultural lease program for wildlife habitat management in a variety of areas. Proposals were solicited to provide farm management services for 952 acres of agricultural land

in the Brushy Creek State Recreational Area where 9 leases are currently administered. Invitations for proposals were mailed to a number of farm management firms and were also advertised in newspapers in Webster City, Fort Dodge, and Des Moines.

Two proposals were received. The proposals were reviewed by a four person selection committee: Todd Rozendaal, Greg VanFossen, Scott Peterson and Chad Kelchen.

Sunderman Farm Management Co.	Fort Dodge, IA	\$47,600
Hertz Farm Management	Humboldt, IA	\$95,200

Staff recommends awarding the contract to Sunderman Farm Management Co. to provide the above mentioned services for \$47,600. Sunderman Farm Management Co. manages approximately 16,000 acres most of which are located within 50 miles of Fort Dodge and several farms near the Brushy Creek Area. They have been in the farm management business for 47 years and work with approximately 60 operators in the area. Farm Manager, Brian Larson has 40 years of farm management experience, 9 years of experience with U.S. Soil Conservation Service, and a lifetime of experience on his family's farm.

Commissioner Drees moved. Commissioner Rettig seconded. Commissioner Bird inquired on the use of farm management companies instead of, historically, using the Department's staff. Staff responded that it is a compilation of time issue for staff, a consolidation of leases, and gaining the expertise of a professional farm manager. Motion carried by unanimous vote.

10. Land Management - Chapter 17 Barge Fleeting Lease Renewal - Mississippi River, Lee County -- Hendricks River Logistics

The Natural Resource Commission's approval is requested for the renewal of Chapter 17 Lease 50-R with Hendricks River Logistics of Keokuk, Iowa.

The area is described as a barge fleeting facility at Mississippi River Mile 370.8, near the town of Montrose, located in Sections 19 & 30, Township 66 North, Range 5 West of the 5th P.M., Lee County, Iowa. The site consists of four segments: one segment is 350 feet of depth by 400 feet of frontage and three segments are 150 feet of depth by 1000 feet of frontage. The site is used as an area for barge fleeting and repair. This area has been under a barge fleeting lease since 1983. A Public Notice was printed in two local newspapers. No comments were received. The annual fee is \$19,765 and will be increased annually based on the percentage increase of the consumer price index. The term of the lease will be five years.

Commissioner Francisco moved. Commissioner Drees seconded. Motion carried by unanimous vote.

11. Natural Resource Based Business Opportunities Grant Program

Commission approval is requested for the committee recommendations for the natural Resource Based Business Opportunities Grant (NRBBOG) Program. A total of \$237,500 was appropriated from the DNR environment First Fund for the development of project related to natural resource based business opportunities; an additional \$12,500 was made available to the Department to administer the program, for a total appropriation of \$250,000 for this program. Local Resource Conservation and Development boards sponsored by county governments or Soil and Water

conservation Districts were eligible to receive funding on a competitive basis that the application identified a dollar for dollar or in-kind match.

The Natural Resource Based Business Opportunities Grant Program Review Committee Consisting of Cali Beals (Iowa Department of Economic Development), Lyle Asell (DNR – Director’s Office, and Aron Flickinger (DNR – Forestry Bureau) convened on August 22, 2008, to review a total of 23 RC&D projects requesting \$460,826 in funding. Based upon a competitive scoring system that encourages local economic development involving Iowa’s natural resources and considers impact on the environment with measurable results and well define benchmarks during the life of the project, the Department requests approval of the grants listed below (see attached summary description for each project):

Applicant	Project	Grant Award
Cedar Valley RC&D	Cedar Bridge Park - Recreation Cabin	\$23,900
Cedar Valley RC&D	Straw Bale Building Construction	\$15,000
Geode RC&D	Cabins Amenities for Natural Resource Areas in Southeast Iowa	\$25,000
Golden Hills RC&D	Turin Man Interpretive Panel Installation	\$5,000
Iowa Lakes RC&D	Watchable Wildlife Implementation for NW Iowa	\$5,000
Iowa League of RC&Ds	The Iowa Food Cooperative: A web-based system for selling local foods year around to benefit Iowa farmers and consumers	\$25,000
Limestone Bluffs RC&D	Scenic Byway Theme & Loop Tours Marketing Project	\$25,000
Northeast Iowa RC&D	Carpenter's Edge native Wood Recovery and Recycling Project	\$25,000
Northeast Iowa RC&D	Developing Historic Forest Resources as a Business Opportunity	\$6,500
Northeast Iowa RC&D	Exploring Northeast Iowa's Natural Resources	\$7,500
Pathfinders RC&D	Selling Solitude in Wapello County	\$25,000
Total		\$187,900

The projects described in the table below represent the unsuccessful grant applicants. They are provided for the Commission’s information but are not recommended for funding at this time. The Department plans to provide another opportunity to apply for non-obligated funds from this grant cycle and any unexpended funds under the program to date in fall of 2008, at which time the unsuccessful applicants may reapply for consideration.

Applicant	Project	Grant Request
Chariton Valley RC&D	Country Roads Strawberries & Produce	\$25,000
Geode RC&D	Des Moines County Home: Green Components for Re-use	\$5,000
Golden Hills RC&D	Biovance Iowa – Business Start Up	\$25,000

Iowa Heartland RC&D	Dan-D Farms: Building a Model for Successful Agri-tourism	\$25,000
Iowa Valley RC&D	Agricultural Food Heritage Multi-media Tour of the Iowa and Cedar Valleys	\$25,000
Limestone Bluffs RC&D	Maquoketa Art Experience	\$25,000
Limestone Bluffs RC&D	Retaining a River Based Business in Bellevue	\$25,000
Prairie Partners RC&D	Sustainable Building Using Whole Tree Architecture	\$20,550
Prairie Rivers RC&D	Promoting Savanna Restoration in Central Iowa	\$22,500
Prairie Winds RC&D	Winding Creek Gardens Vegetable Production Facility	\$23,632
Prairie Winds RC&D	Townsend Winery and Vineyards	\$25,000
Southern Iowa RC&D	Southern Iowa Resource Conservation & Development Area Regional Vision and Strategic Action Plan	\$15,618
Total		\$262,300

Commissioner Rettig moved. Commissioner Francisco seconded. Commissioner Rettig inquired about the remaining funds not awarded and is economic development being quantified. Diane Ford-Shivvers reported a second round is being coordinated to have another application review. Those who did not receive funding received a rationale so they can reapply. The reporting requirements can be strengthened to evaluate economic development results. Motion carried by unanimous vote.

12. Water Trails and Low-head Dam Public Hazard Statewide Plan

The Commission is requested to approve an agreement with Iowa State University (ISU) valuing \$110,044 to direct a statewide planning process for the Department's water trails and low-head dam public hazard program. The Department has been mandated and appropriated funds to conduct this plan under SF2380, enacted as Iowa Code Chapter 464A.11. ISU College of Design staff is selected for its master planning and public listening expertise, coupled with design techniques and testing methods that will respect natural river morphology and stable channel design.

The parties will enter into this Contract to develop a plan that will collect public input and establish long-term priorities for water trails and low-head dam removals and modifications, and result in two main deliverables: the State Water Trails & Low-head Dams Plan and the Water Trails Development Manual.

Specific objectives include:

- 1) Communication functions, including a minimum of five regional public meetings, agency and non-profit staff listening meetings, interest group surveys.
- 2) Background will be developed on the historical perspectives, today's ecological functions and services of rivers, economic functions and services (analysis based on a future statewide survey not covered in the scope of this Contract), recreational and human health functions of rivers, fisheries and wildlife issues.

- 3) Supporting inventories and strategic planning will be developed, including GIS analysis of waters and population data for recreational purposes, relationship to other plans (i.e. State Wildlife Comprehensive Plan, Trails Plan 2000, etc) and programs, review of water quality issues relating to recreation, and development of prioritization criteria for low-head dam public hazards and water trails.
- 4) The water trails development manual will be a technical manual for local water trails developers, including design templates and recommendations that respect stable channel morphology, incorporating techniques such as bio-engineering using natural plantings, onsite stormwater management, native plant community restoration, and design recommendations for support services including restroom facilities and parking, and collaborative development of land management strategies.
- 5) Prepare recommendations and criteria for testing visibility and recognition of the current signage system.
- 6) Select, review and evaluate a site-specific case study of a water trail in Iowa that includes multiple planning elements, including a low-head dam issue, access and/or portage development, and other common water trails issues.

All statewide plan elements described in the Contract will be completed by Dec. 31, 2009.

Commissioner Drees moved. Commissioner Francisco seconded. Motion carried by unanimous vote.

13. Chapter 13—Permits and Easements for Construction and Related Activities on Public Lands and Waters

The Department will provide information about Chapter 13, “Permits and Easements for Construction and Related Activities on Public Lands and Waters,” Iowa Administrative Code 571. The Department is currently drafting a revised rule, which has involved the work of an intra-departmental committee of staff working toward the goal of improved management of lands and waters under the jurisdiction of the Department. Members of this committee will be available to provide information and answer questions about the Sovereign Lands program.

Information Item

Discussion: Commissioner Rettig requested to receive a draft of the rule as soon as possible for review. Inga Foster noted the request and stated there will be a double comment period that will provide opportunity for public input and changes to the rule before it comes before the Commission. Commissioner Rettig asked about the process if someone sees a possible violation and how to report it. Inga noted the new rule requires a sovereign lands permit to be posted and if there is a concern, it is recommended the person contact a conservation officer for them to follow up on the concern. Commissioner Kircher inquired on the length of time it takes to get a permit. Inga reported approximately two weeks.

14. Federal Excess Property Program Agreement with Prairie Rivers RC&D

The Commission is asked to approve a \$50,000 contract between the Prairie Rivers RC&D and the Iowa DNR. All funds utilized in this contract are from the USDA Forest Service (USFS) and approval of this agreement is necessary for the Forestry Bureau to qualify for federal FEPP funds to transfer through the Prairie Rivers RC&D. To take advantage of expanding USFS Fire Program opportunities with current staff levels, the IDNR Forestry Bureau has needed to develop partnerships with other agencies to ensure FEPP program delivery. The agreement will provide

Prairie Rivers RC&D with the funds necessary to cover salary, travel and overall administrative costs of running the program for the Iowa DNR.

The Iowa DNR Forestry Bureau Fire Program is closely coordinated with the USFS Fire Program. Through a cooperative agreement with the USFS, Iowa DNR Forestry is able to acquire federal excess property (vehicles, generators, tools, etc.) from national locations and distribute this property to Iowa's volunteer fire departments (VFDs). Since 2000, the Forestry Bureau has acquired and distributed 2,895 federal items with an estimated value of \$8,502,314. The total recorded value of items distributed in Iowa through this program is \$19,127,485. In the State Fiscal Year 2008 the Forestry Bureau delivered 26 pieces of equipment to rural fire departments valued at \$1,142,016. This equipment included 11 trucks, 5 trailers, 3 small craft, 3 generators, 2 commercial pumpers, 1 jaws-of-life and 1 crane. The Forestry Bureau has been delivering the Federal Excess Property Program (FEPP) since 1949. Additionally the Forestry Bureau has an additional opportunity to receive excess equipment from the Department of Defense via another agreement with the Forest Service.

The Iowa DNR Forestry Bureau continues to expand its fire program. The IDNR Fire Program annually awards close to 100 Volunteer Fire Assistance (VFA) grants for almost \$218,000 to Iowa volunteer fire departments. The Fire Program also provides wildland and prescribed fire fighting training Iowa's natural resource community and VFDs.

Commissioner Rettig moved. Commissioner Drees seconded. Commissioner Francisco commented favorably on this program and recommended the Department place DNR labels or signs on the equipment. Paul Tauke agreed and has also discussed with staff about preparing more articles and gaining more support of rural fire chiefs. Motion carried by unanimous vote.

15. Concession Contract Amendments – Lake Macbride State Park and Pleasant Creek State Recreation Area

Staff received requests from two concession operators to reduce their 2008 concession fee due to the flooding that occurred this year.

Lake Macbride State Park – Lake Macbride Boat Rental, Inc. – Tina Hoffman

Ms. Hoffman's 2008 concession fee is \$12,151, plus 8% of gross receipts over \$85,000. Lake Macbride experienced flooding in June which resulted in five feet of water in the storage and concession rental building at Lake Macbride. In addition a boat ban was placed on the lake. During this period of time, (approximately 17 days), the concession was not able to operate. Ms. Hoffman requested a reduction in the concession fee because of the flood-related closure. Staff reviewed Ms. Hoffman's revenue for June in 2007 and 2008. June 2007 accounted for 24% of Ms Hoffman's gross revenue. This year, Ms. Hoffman grossed approximately 25% of what she grossed in June 2007. Staff used the following formula to determine a reduction of the concession fee.

June 2007 = approx. 24% of last year's gross

June 2008 = approx. 25% of June 2007's gross

2008 concession fee = \$12,151

$\$12,151 \times 24\% = \$2,916.24 \times 75\% = \$2,187.18 = \text{proposed fee reduction}$

Staff recommends amending the 2008 concession fee by \$2,187.18 due to the impact the floods had on the concession operation. The amended concession fee would be \$9,963.82 plus 8% of gross receipts over \$85,000.

Pleasant Creek State Recreation Area – Jesse’s Marina – Jessica Grieder

Ms. Grieder’s 2008 concession fee is \$3,700. While the lake at Pleasant Creek did not flood, the flooding at Palo and surrounding areas limited access to the park. At times, there was no access to the park. As a result there was little, if any, traffic at the concession operation for approximately 2 weeks. Ms. Grieder requested a reduction in the concession fee due to the impact of the flooding. Staff reviewed Ms. Grieder’s revenue for June 2007 and June 2008. June 2007 accounted for 32% of last year’s gross revenue. This year, Ms. Grieder only grossed 32% of what she grossed in June 2007. Staff used the following formula to determine a reduction of the concession fee.

June 2007 = approx. 32% of last year’s gross

June 2008 = approx. 32% of June 2007’s gross

2008 concession fee = \$3,700

$\$3,700 \times 32\% = \$1,184$ $\times 68\% = \$805.12$ = proposed fee reduction

Staff recommends amending the 2008 concession fee by \$805.12 due to the impact the floods had on the concession operation. The amended concession fee would be \$2,894.88.

Commission approval is requested to amend the 2008 concession fees for Lake Macbride Boat Rental, Inc. at Lake Macbride State Park and Jesse’s Marina at Pleasant Creek State Recreation Area.

Commissioner Kircher moved. Commissioner Drees seconded. Commissioner Bird expressed his appreciation for Parks working with concessionaires and how it helps with good relations. Motion carried by unanimous vote.

16. Brushy Creek Recreation Trails Advisory Board

Chapter 455A.8, Code of Iowa creates the Brushy Creek Recreation Trails Advisory Board. The purpose of the board is to advise the DNR and Natural Resource Commission regarding issues and recommendations relating to the development and maintenance of the trails and related activities. When first created in 1989, the makeup of the board was as follows:

- DNR Director or the director’s designee
- The park ranger responsible for Brushy Creek Recreation Area
- A member of the State Preserves Advisory Board
- A person appointed by the Governor
- Six persons appointed by the legislative council

The legislature amended the Code of Iowa last session authorizing the Natural Resource Commission to appoint the seven members previously appointed by the governor and legislative council. Each person appointed by the Commission must actively participate in recreation trails activities such as hiking, bicycling, an equestrian sport, or winter sport at Brushy Creek. These members serve three-year terms and are eligible for reappointment.

The following are the current members of the Advisory Board. Their terms have all expired, so re-appointments or new appointments are ideally needed before the next meeting scheduled for October 14, 2008.

Name and Occupation	City of Residence	Occupation	Years of Previous Appointment	Appointed by:	Primary Trails Interest
Donna Christensen	Menlo	Antique Shop Owner	1989 - 2008	Legislative Council	Equestrian
Ruth Nelleson	Carroll	Former County Jailer	1989 – 2008	Legislative Council	Equestrian
Myron Groat	Fort Dodge	Former County Board of Supervisors	1993 - 2008	Legislative Council	All
Kristi Schaaf	Boone	Veterinary Medicine Library	1998 - 2008	Legislative Council	Equestrian
Mike Tinkham	Maxwell	Commercial Construction	1999 - 2008	Legislative Council	Equestrian
Pat Reed	Lehigh	Insurance Agent	1999 - 2008	Legislative Council	All
Tom Bice	Fort Dodge	Attorney	2007 - 2008	Governor Culver	All

The remaining three members specified in the law are currently Deb Lewis (Preserves Advisory Board), Chad Kelchen (Park Manager), and Kevin Szcodronski (DNR Director Designee, State Parks Bureau Chief).

Recommendations for board appointments will be presented at the October 2008 Natural Resource Commission. Length of terms will be recommended in a manner that will set up a system for staggered terms.

Information Item

Discussion: Commissioner Rettig stated she serves on a trails advisory board and discussed their process and inquired if the advisory committee advertised for board positions. Kevin Szcodronski reported, no, they are the originally appointed members. Commissioner Rettig recommended a procedure to allow an opportunity in the future for citizens to apply and have staff make recommendations. Commissioner Kircher concurs with opening up board members seats to the public. Commissioner Bird inquired if the board submits a report to the legislative office. Kevin Szcodronski reported he believes their minutes have served as their record. Commissioner Bird recommended they be posted.

17. Severe Weather Protocol in State Parks

The Natural Resource Commission requested information on procedures taken by staff to inform and provide a safe place for state park visitors during times of severe weather. This request was prompted by the several occurrences of tornados, storms, high winds, and heavy rainfalls throughout the state this spring and summer. The primary purposes of this item are to: (1) present existing procedures for informing park visitors of incoming severe weather; (2) identify alternatives currently available for storm shelters; and (3) describe the ways park staff are trained on severe weather protocol. The information will reveal that staff are generally doing a good job

informing park visitors of incoming severe weather, but subsequent action taken by staff and park visitors can be improved. Very few parks have sufficient shelter for all potential park visitors. Even after being adequately informed, many park visitors choose not to seek shelter because they believe the severe weather will not ultimately be too bad or it will either pass over or around them. While park staff are trained on severe weather protocol, improvements can be made on consistency and frequency of training.

Staff will continue to analyze all existing protocol for severe weather and develop needed improvements. Available funds will determine ultimate progress on costly improvements.

Information Item

Discussion: Commissioner Bird discussed his personal experience as a Parks employee and the time he used p.a. system to inform the public of severe weather and a park user complained to the main office. He recommended that staff not discourage park employees from using whatever means to inform the public of severe weather coming. Commissioner Rettig suggested Parks acquire RAGBRAI's severe weather manual to review for any ideas that can be incorporated into Parks' plan.

18. NOIA: Chapter 45—Boat Motor Regulations

The Commission is asked to approve the Notice of Intended Action to amend Chapter 45, "Boat Motor Regulations," Iowa Administrative Code. This proposed amendment is being requested by the Adams County Conservation Board to eliminate the existing rule requirement for a 300 horsepower limit for motor boats on Lake Icaria in Adams County. Modern boats have higher horsepower rating (greater than 300) and, as a result, the existing horsepower limit has restricted many of the recently manufactured boats from legal use/access to Lake Icaria.

Enforcement staff contacted Fisheries biologists in the area to research the erosion effects from higher horsepower boat motors and found the area used by these vessels is armored with rip rap and there is no anticipated excessive erosion and concurs with the rule change.

NATURAL RESOURCE COMMISSION[571]

Notice of Intended Action

Pursuant to the authority of Iowa Code sections 455A.5(6), the Natural Resource Commission hereby gives Notice of Intended Action to amend Chapter 45 "Boat Motor Regulations," Iowa Administrative Code.

This amendment is requested by the Adams County Conservation Board to eliminate the existing rule restriction of a 300 horsepower limit for motor boats on Lake Icaria in Adams County. Many modern boats have higher horsepower ratings (greater than 300) than older manufactured boats and as a result, the existing horsepower limit has become outdated and is restricting many of the recently manufactured boats from legal use/access to Lake Icaria.

Any person may make written comments on this proposed rule amendment on or before October 8, 2008. Such comments and written material should be directed to the Law Enforcement Bureau; Wallace State Office Building; Iowa Department of Natural Resources; 502 East 9th Street; Des Moines, Iowa 50319-0034. Persons who wish to convey their comments orally should contact Steve Derrand of the Law Enforcement Bureau at (515)281-4515.

A public hearing will be held on October 8, 2008, at 8 a.m. in the Fourth Floor West Conference Room of the Wallace State Office Building, at which time persons may present their

views either orally or in writing. At the hearing, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendment.

Any persons who attend the public hearing and have special needs such as those related to hearing or mobility impairments should contact the Department of Natural Resources and advise of specific needs.

This amendment is intended to implement section 462A.3 of the Code of Iowa.

The following amendment is proposed.

Amend subrule 45.4(3), paragraph “b,” as follows:

b. Lake Icaria, Adams County – motorboats of inboard/outdrive type ~~with power not to exceed 300 horsepower~~. Vessels must be operated at a no-wake speed when within 50 feet of another vessel which is not underway or is operating at a no-wake speed. Additional speed and distance regulations apply as established in 571—40.20(462A).

Date

Richard A. Leopold, Director

Commissioner Rettig moved. Commissioner Francisco seconded. Commissioner Kircher stated she has a huge problem with this rule change regarding the size of the motor for this size of lake and continues to believe there will be an erosion problem and it could be a safety issue. Steve Dermand noted that enforcement will be present and the safety issue has been discussed with law enforcement. Motion carried on a 4-1 vote with Commissioner Kircher voting “nay.”

19. Final Rule: Chapter 15 – General License Regulations

The Commission is asked to amend Chapter 15, General License Regulations. The amendment is necessary to comply with statutory changes made by the 2008 Iowa General Assembly, House File 2616, which changed the code section reference for convictions of trespass while deer hunting from Iowa Code section 716.7 to 716.8. The adopted and final rule will account for this statutory change. No comments were received during the comment period and no changes were made from the rule published with the Notice of Intended Action.

NATURAL RESOURCES COMMISSION[571]

Adopted and Filed

Pursuant to the authority of Iowa Code sections 455A.5(6), the Natural Resource Commission hereby amends Chapter 15 “General License Regulations,” Iowa Administrative Code.

This amendment to subparagraph 15.6(3)”a”(22) is required as a result of the enactment of 2008 Iowa Acts, House File 2612, section 21, which amends Iowa Code Supplement section 716.8. This Legislation requires that the Department establish a violation point value for a violation and conviction of 2008 Iowa Acts, House File 2612, section 21, for a person who is convicted of trespass while hunting deer.

Notice of Intended Action was published in the Iowa Administrative Bulletin on July 30, 2008, as ARC 7037B. A public hearing was held on August 19, 2008. No comments were received during the comment period or at the hearing. No changes have been made to the Notice of Intended Action.

This amendment is intended to implement Iowa Code section 481A.38.

The following amendment will become effective November 12, 2008.

The following amendment has been adopted.

Amend subparagraph 15.6(3)“a”(22) as follows:

(22) Any violation of Iowa Code Supplement section ~~746.7~~ 716.8 as amended by 2008 Iowa Acts, House File 2612, section 21, while hunting deer.

Date

Richard A. Leopold, Director

Commissioner Francisco moved. Commissioner Kircher seconded. Motion carried by unanimous vote.

20. Agreement with Kalkomey Enterprises for Education Materials

The Natural Resource Commission is requested to approve an agreement between the Department and Kalkomey Enterprises to provide boating safety educational materials to the DNR for \$27,500. Kalkomey has been providing printed education materials annually since April 2003.

Kalkomey Enterprises has developed materials that are approved by the National Association of State Boating Law Administrators (NASBLA) and follow the current design and format used in other materials for boater education. All the materials provided are consistent with the basic boating courses offered by the U.S. Coast Guard Auxiliary, which is an approved education course for the Department. Under the current contract, Kalkomey will provide materials for the Department, such as: Boat Iowa PowerPoint presentation, Boat Iowa Exams, Instructor's guide, Boat Iowa Internet course distance-learning product and complete support services, Boat Iowa NASBLA approval package, the Handbook of Iowa Boating Laws and Regulations printed Boaters' Handbook, and the Handbook of Iowa Boating Laws and Regulations Online Boaters' Handbook.

Department staff have already contracted with Kalkomey under the belief that former processes, allowable when the Department was a Charter Agency pursuant to Iowa Code chapter 8J, were still valid and that Commission approval would not be required. The Department has been working with the Iowa Department of Administrative Services to correct the contracting process used for this most recent acquisition that occurred after the sunset of the Charter Agency status and asks that the Commission approve this expenditure. A new contracting process that has recently gone into effect should prevent this situation in the future.

Commissioner Kircher moved. Commissioner Drees seconded. Commissioner Francisco noted that, as a Hunter Education instructor, this company does a nice job on the materials. Motion carried by unanimous vote.

21. Hole in the Hills at Wa-Shawtee – Deed Restrictions

The Department and a non-profit group, Hole in the Hills at Wa-Shawtee (Hole in the Hills), will provide information about property in Fremont County in which the parties both have interests. Hole in the Hills currently possesses approximately 65 acres of land adjacent to Waubonsie State Park. Hole in the Hills is self-described as “a non-profit organization established to enrich the lives of young people affected with life altering conditions by providing a physically safe and

medically sound camping experience.” Hole in the Hills would like to share its vision for the property with the Commission in more detail.

In 2005, the state of Iowa, through the Commission, purchased 646 acres of land adjacent to the then existing Waubonsie State Park for \$2.1 million from a private individual, Edd Marshall. The purchase was made with funds appropriated by the Iowa Legislature. At the same time, Edd Marshall gifted 65 adjacent acres to Hole in the Hills for the purposes of building and operating a camp for children with life-threatening diseases. The deed conveying this 65-acre property to Hole in the Hills has restrictions that, if not satisfied, will cause the property to transfer to the State of Iowa through the Department of Natural Resources. (A copy of the option to sell, executed by Edd Marshall, and a copy of the deed, created by an attorney for Hole-in-the-Hills and executed by Edd Marshall, are included as attachments.) Hole in the Hills is concerned about how these restrictions impact their fundraising efforts and has asked the Department to remove them.

The Commission is limited in the disposal of public lands under its jurisdiction by Iowa law. Iowa Code section 461A.32 prohibits the Commission from selling such lands unless the Commission determines, in its judgment, the land “may be undesirable for conservation purposes.” By agreeing to remove the deed restrictions, the Commission would be disposing of a future interest in the 65 acres and would, therefore, need to determine that such property would not be desirable for conservation purposes.

Jon Tack will present the item, as Kelley Myers, staff attorney assigned to assist the Commission, and Ed Tormey, General Counsel for the Department, are out of the office. Hole in the Hills will provide a brief presentation about its intentions for its 65 acres. Department staff will be available to answer questions.

Information Item

Discussion: Members of Hole in the Hills (HITH) spoke. Allison Breitenfeld shared a PowerPoint presentation and materials were handed out. C.S. Johnson gave a verbal request to have the deed impediment removed for them to continue their fundraising. Gene Eaton gave a verbal presentation regarding the fundraising efforts. Greg Sherwood discussed the amount of property needed and the deed restrictions.

Commissioner Kircher summarized the Department’s role as being guided by law and with the Department purchasing adjacent property it is unlikely that the Department would consider this piece of land as not conservation worthy as the law identifies as criteria. Commissioner Rettig expressed concern about setting precedence if this land was given up and, under these circumstances, it would be difficult to allow this change. She also challenged the HITH members to explore what else can be done and what can the Department do to help in their fundraising by using us as a supportive partnership.

Director Leopold and members of the Commission noted the worthiness of the HITH’s project and the Department is willing to assist how they can in partnership. The issue that HITH is presenting to the Commission is based on the deed restriction that was negotiated by HITH and not by the Department.

22. Lost Grove Dam, Scott County -- Consultant Selection Process For Redesign

This item is informational only to inform the Commission, in advance, of the proposed method of selection and subsequent contract for professional services to re-design the Lost Grove Dam in Scott County. This project has been active for many years and the completion of the design and construction documents were delayed in 2005 when the dam was reclassified from a moderate hazard classification to a high hazard classification, as designated by the United States Fish and Wildlife Service and the Iowa DNR Flood Plains Section. This new designation required additional geotechnical exploration and analysis. As part of the more stringent regulations and requirements of the higher dam rating, a redesign of the dam and principal spillway, as well as the emergency spillway, is needed. Earth Tech Inc., of Waterloo, IA, was the design professional for the previous dam design and has been active with this project since August 1996. Design fees to date for services provided by Earth Tech total \$118,000. Team Services and TerraCon have been involved as geotechnical consultants during the pre-design and design phases of the project.

Under Iowa Administrative Code 561—8.3(3)e.

The director may authorize the negotiation of a contract without solicitation of quotations or advertising for proposals if the service is to be provided by another governmental entity or educational institution or nonprofit corporation, or if the service is of a specialized nature where only one firm or individual can reasonably provide the service, or where delay for solicitation of quotations or advertising for proposals might reasonably be expected to result in serious loss or injury to the state.

It is our intent to negotiate fees for professional services to re-design the Lost Grove Dam with Earth Tech, Inc. based on the consultants years of work on the project, their specialized knowledge of the site, site conditions, design history and continuity with staff. Additionally, Earth Tech, Inc. will be able to provide the services for less cost, in a shorter time and utilizing existing construction documents and drawings that would not be available to another design firm. The Lost Grove Dam project, while not originally intended to become a phased project, has become one. The utilization of the current design professionals would be in the best interest of the State of Iowa.

A negotiated fee will be brought before the Commission at the October meeting for a decision.

Information Item

Discussion: Don Labate added this project has been going on since the 1980s and since then more people have moved into the flood plain so between our flood plain and the federal Fish and Wildlife Service the dam has been reclassified. The Department walked through all the soils issues along with the FWS. Their procedure was for us to redesign the dam and run it through them again and they changed their rules. They have asked the Department to redesign on their new criteria and a professional engineer will approve this.

23. Budget Request for FY 2010

The Natural Resource Commission's approval is requested for the Department's appropriation request for Fiscal Year 2010 (FY10). The State Budget Director has directed all departments to submit a status quo budget by October 1, 2008. The request to hold to FY2009 budget levels is

due to slowing growth in state revenues and the uncertainty of the fiscal impact of the flooding to the state.

In FY09, the department received one time funds for many projects such as Honey Creek, Volga River, plasma arc technologies and redemption centers. Since these projects are complete the department is requesting that new programs take the place of this funding. This follows the guidance from DOM in submitting a status quo budget without status quo programs. A detailed description of these programs and projects are attached.

In previous years, the Governor and Department of Management (DOM) utilized Budget Teams to review and prioritize additional funding requests from each state agency. Due to the extraordinary strains on the FY10 budget, they have chosen to modify the process. Instead, DOM has instructed each department to submit requests for additional funding for consideration by September 15, 2008 to the DOM. These requests will be considered on a case-by-case basis and potentially forwarded on to the Governor's Office for final consideration into the Governor's Budget.

Therefore, the department is requesting the commission's approval of a status quo budget for FY10. However, it will be pursuing the attached list of additional funding requests by the September 15th deadline.

**DEPARTMENT OF NATURAL RESOURCES
FY 10 REQUEST**

APPROPRIATION NAME	FY 09 Approp	FY 10 Request	\$ Change FY 10 Over FY 09
<u>GENERAL FUND APPROPRIATIONS</u>			
Department Operations	\$20,866,333	\$20,866,333	\$0
Air Quality Standards and Monitoring		\$1,000,000	\$1,000,000
Independent Redemption Center	\$1,000,000	\$0	(\$1,000,000)
Total General Fund Appropriation	\$21,866,333	\$21,866,333	\$0
<u>TOBACCO SETTLEMENT FUNDS</u>			
<u>Restricted Capital Fund</u>			
Honey Creek Resort Park	\$3,100,000	\$0	(\$3,100,000)
<u>Tax-Exempt Restricted Capital Fund (RC3)</u>			\$0
Volga River	\$750,000	\$0	(\$750,000)
Carter Lake	\$500,000	\$0	(\$500,000)
Lake Water Quality Improvement	\$8,600,000	\$0	(\$8,600,000)
Honey Creek Resort Park	\$4,900,000	\$0	(\$4,900,000)
Total Tobacco Settlement Appropriation	\$17,850,000	\$0	(\$17,850,000)
<u>INFRASTRUCTURE</u>			
Lake Water Quality Improvement	\$0	\$8,600,000	\$8,600,000

Lake Delhi	\$100,000	\$100,000	\$0
Lowhead Dam Improvement and Water Trails Program	\$1,000,000	\$1,000,000	\$0
Plasma Arc Feasibility	\$150,000	\$0	(\$150,000)
State Parks Health and Safety	\$0	\$2,500,000	\$2,500,000
Floodplain Management/Dam Safety	\$0	\$3,000,000	\$3,000,000
Information Technology	\$0	\$550,000	\$550,000
State Forest Health/Emerald Ash Borer	\$0	\$300,000	\$300,000
Lewis and Clark Visitors Center	\$0	\$600,000	\$600,000
State Lands Flood Damage	\$0	\$2,000,000	\$2,000,000
Private Lands Floodplain Mitigation	\$0	\$450,000	\$450,000
Total Infrastructure Appropriation	\$1,250,000	\$19,100,000	\$17,850,000
<u>ENVIRONMENT FIRST</u>			
Resource Enhancement and Protection	\$18,000,000	\$18,000,000	\$0
Ambient Air Quality Monitoring	\$325,000	\$325,000	\$0
Water Quality Monitoring	\$2,955,000	\$2,955,000	\$0
GIS Data for Watershed Managers	\$195,000	\$195,000	\$0
Keepers of the Land Volunteer Program	\$100,000	\$100,000	\$0
Park Operations and Maintenance	\$2,470,000	\$2,470,000	\$0
Water Quantity	\$495,000	\$495,000	\$0
Animal Feeding Operations	\$360,000	\$360,000	\$0
Resource Conservation	\$250,000	\$150,000	(\$100,000)
Water Supply Appropriation	\$500,000	\$500,000	\$0
Climate Change	\$50,000	\$150,000	\$100,000
Total Environment First Appropriation	\$25,700,000	\$25,700,000	\$0
<u>FEDERAL ECONOMIC STIMULUS</u>			
Water Trails and Lowhead Dam Public Hazard	\$250,000	\$0	(\$250,000)
Deer Depredation Program	\$0	\$250,000	\$250,000
Ambient Air Abatement	\$195,000	\$195,000	\$0
Total Federal Economic Stimulus	\$445,000	\$445,000	\$0
<u>NON-GENERAL FUND APPROPRIATIONS</u>			
Fish and Wildlife Operations	\$38,793,154	\$39,093,154	\$300,000
Marine Fuel Tax Capitals	\$2,500,000	\$2,500,000	\$0
NPDES Fund	\$700,000	\$700,000	\$0
Water Use Permit Fund	\$0	\$500,000	\$500,000
Groundwater Fund	\$3,455,832	\$3,455,832	\$0
UST Administration Match	\$200,000	\$200,000	\$0
Snowmobile Transfer to Fish and Wildlife	\$100,000	\$100,000	\$0

Total Non General Fund Appropriations	\$45,748,986	\$46,548,986	\$800,000
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TOTAL	\$112,860,319	\$113,660,319	\$800,000
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Source: Nelson 9/5/08

Commissioner Kircher moved. Commissioner Francisco seconded. Director Leopold presented the budget and reported the Governor's office has requested the Department to prepare a status quo budget, which means we can coordinate funding as we need but we must keep the same bottom line.

In regard to the \$2 million request for infrastructure funding due to the floods, Commissioner Rettig inquired as to why this figure was in the status quo budget instead of a special ask and is concerned about the vulnerability of it being listed in the regular budget. The Director is coordinating a meeting to discuss options on how to get funding outside of normal operating budgets for flood related needs. Commissioner Drees inquired as to how these additional asks compare to last year. Diane Ford-Shivvers reported the only additional asks last year were Honey Creek Resort and Lewis and Clark.

The Director reported the Department will be asking for license increases and will work to have this tied to the federal index for NRC decision to allow the ability to raise fees within the index. Commissioner Rettig inquired how the NRC can give support regarding raising fees. Diane Ford-Shivvers reported it will run legislatively similar to Honey Creek Resort.

Commissioner Francisco reported when he went hunting in MN, their ELSI (Electronic Licensing System for Iowa) system and had many more purchase options than hunting and fishing licenses so we might want to choose to have more items added to our ELSI system.

Motion carried by unanimous vote.

24. General Discussion

Commissioner Francisco discussed Sustainable Funding for Natural Resources (SF) and the recent Farm Bureau vote regarding the support of the bill. He commented there had been twelve counties that proposed to include a resolution regarding SF. At the Farm Bureau meeting, Commissioner Francisco spoke in support of SF as did Jim Hasselbeck. After discussion, all 91 Farm Bureau delegates voted in favor of supporting SF.

Commissioner Rettig reported that she attended her first Mississippi River Parkway Commission (MRPC) meeting. The Governor appoints one voting member for every county up and down the river and there are 5 technical non-voting members, of which the DNR representative is one. By tradition, the DNR has always asked a commissioner to serve on the committee.

Commissioner Rettig reported she attended the Parks' campground host annual picnic on Tuesday. She noted campground hosts are usually the first line for complaints and expressed appreciation for the support they give and it was an honor to hear some of their stories. Commissioner Rettig said the hosts received an appreciation gift of a tree in coordination with

the Forestry Bureau and some of the hosts donated their trees back to their park. Commissioner Francisco stated he attended last year and it was great fun.

25. Items for Next Meeting

At 1:48pm a motion was made to adjourn. Commissioner Kircher moved. Commissioner Francisco seconded. Motion carried by unanimous vote.

Next Meetings:

October 9 – Appanoose County - Honey Creek Resort

November 13 – Marshall County

December 11 – Polk County